UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,236	04/30/2001	Al Langsenkamp	P00506-US-0 (12076.0001)	3842

7590 10/30/2002

Russell E. Fowler, II
ICE MILLER
One American Square
Box 82001
Indianapolis, IN 46282-0002

EXAMINER
CHOW, MING

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/845,236	LANGSENKAMP ET AL.	
	Examiner	Art Unit	
	Ming Chow	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 5, 6, 7, 14, 15, 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "emergency area" is not clearly defined.

2. Claims 6 and 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "the path of a weather event" is not clearly defined.

3. Claim 8 recites the limitation "new call request" in claim 7. There is insufficient antecedent basis for this limitation in the claim.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any

person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 20 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The phrase "local gate program sends the statement to remove the first request from the local temporary file to a second temporary file" of claim 20 is not disclosed by the specification. On third paragraph of page 16 of the specifications, it shows "the SQL statement to remove the call request from the remote queue is first delivered to the Qserv database before it is retrieved by the Qserv program". The specifications discloses the "statement (SQL) was first delivered to the Qserv database". The specification did not disclose the claimed "first call request is removed from the local temporary file to a second temporary file".

5. Claim 20 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The phrase "the local server program removes the statement from the second temporary file and executes the statement against the local temporary file" of claim 20 is not disclosed by the specification. On first paragraph of page 17 of the specifications, it shows "the Qserv program pulls the SQL statement from the Qserv database and executes the statement against the queue to

remove the call request containing the completed call from the queue". It is obvious for any one skill in the art to read "the Qserv program pulls the SQL statement" meaning "the Qserv program **reads** the SQL statement". It does not mean the SQL statement is removed as claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 5-9, 11, 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Langsenkamp (US-PAT-NO: 6,009,149).

For claims 1 and 11, regarding section (a), Langsenkamp teaches on ABSTRACT "a database comprising phone numbers and one or more data fields associated with each phone number". Langsenkamp also teaches on column7 line 31 "a callee's record in database contains data

field(s) representative of a geographical area". Regarding section (b), Langsenkamp teaches on ABSTRACT "a recorded voice message is transmitted to callees through a plurality of outgoing phone lines". It is inherent that the recorded message must be stored in a memory. Regarding section (c), Langsenkamp teaches on column 16 line 58 "a computer based mapping system may be used". The "computer mapping system" of Langsenkamp is the claimed "mapping device". Regarding section (d), Langsenkamp teaches on column 7 line 44 "temporary file is used by hardware/software interface to store temporary information required for initiating calling sessions". The "information required for initiating calling sessions" of Langsenkamp is the claimed "call request". It is inherent that the "information required for initiating calling sessions" must have a telephone number. Regarding section (e), Langsenkamp teaches on column 8 line 2 "hardware/software interface ... and provides a means for initiating telephone calls to callees through telecommunications interfaces". The "hardware/software interface" of Langsenkamp is the claimed "telecommunications interface". Regarding section (f), Langsenkamp teaches on column 7 line 59 "telecommunication interfaces to the telecommunications network". The "telecommunication interfaces to the telecommunications network" of Langsenkamp is the claimed "network interface".

Regarding claims 5 and 14, Langsenkamp teaches on column 16 line 60 "messages must be transmitted in a time critical manner. The means should be conducive to quick determination of the geographical boundaries". The "geographical boundaries" of Langsenkamp is the claimed "emergency area". The "means should be conducive to quick determination of the geographical

boundaries" of Langsenkamp reads on the claimed "automatically update the emergency area to a new emergency area".

Regarding claims 6 and 15, Langsenkamp teaches on column 8 line 61 "a Geographical Zone representative of a group of callees by geographical location and other optional criteria". The "other optional criteria" of Langsenkamp reads on the claimed "the path of a weather event".

Regarding claims 7 and 16, Langsenkamp teaches on column 7 line 31 "if a callee's record in database contains data field(s) representative of a geographical area over which the callee is interested in acquiring information about sex-offenders residing in that area". The "geographical area over which the callee is interested in acquiring information about sex-offenders residing in that area" of Langsenkamp reads on the claimed "new emergency area". The "callee's record in database contains data field(s) representative of a geographical area" of Langsenkamp reads on the claimed "new subset of phone numbers from the database".

Regarding claim 8, Langsenkamp teaches on item 58 Fig. 1 "temporary file". It is inherent that the temporary file stores all call requests (including new call requests). It is inherent that the new call requests must contain one of the phone numbers for initiating a call.

Regarding claims 9 and 17, Langsenkamp teaches on ABSTRACT "a recorded voice message is transmitted to callees through a plurality of outgoing phone lines". The "voice message" of Langsenkamp is the claimed "audio message".

7. Claims 19, 21, 22, 27, 28, 29, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Leichner (US-PAT-NO: 6,002,748).

For claims 19, 21, 22, 27, 29, regarding section (a), Leichner teaches on ABSTRACT "local telephone exchange is a threatened geographical area". The "threatened geographical area" of Leichner reads on the claimed "defining a calling area". Regarding section (b), Leichner teaches on column 5 line 18 "the complete subscriber database would include, for example, telephone numbers". Regarding section (c), Leichner teaches on column 2 line 65 "the central computer to instruct the local exchanges to connect to their telephone subscribers". The "instruct" of Leichner is the claimed "call requests". It is inherent that the call requests of Leichner's system must be stored in a queue (the claimed temporary file). Leichner also teaches on Fig. 3 "threat type" and "threat location" and Fig. 4 "communication address". The "communication address" of Leichner is the claimed "phone numbers". The "threat type" and "threat location" of Leichner are the claimed "information about processing the call to be made". Regarding section (d), Leichner teaches on item 132 Fig. 9 "look up local exchange(s) at the location of the threat". The "look up local exchange(s) at the location of the threat" of Leichner reads on the claimed "determining whether to process the first call request from the local node (the local exchange that covers the geographical location where the central computer resides) or the remote node (any other local exchange that does not cover the geographical location where the central computer resides)". Regarding section (e), it is inherent that there must be a call processing program (the claimed template program) on the local node (local exchange). It is inherent that the first call request must be sent to the local template on the local node (for call processing) if

the first call request is determined to be processed by the local node. Regarding section (e)(i), Leichner teaches on item 154, Fig. 12 "the local exchange(s) transmit to the CCS all activities performed including numbers rung and numbers answered and the total time of activities". The "transmit to the CCS all activities performed including numbers rung and numbers answered and the total time of activities" of Leichner reads on the claimed "generate a first call response". Regarding section (e)(ii), Leichner teaches on item 156 Fig. 13 "the CCS stores all transactions and activities that the DABT system performed for a permanent record". The "permanent record" of Leichner is the claimed "statement". Leichner also teaches on column 8 line 15 "the number of subscribers served by each local exchange and can calculate the maximum amount of time the local exchange central control system should wait for a subscriber to go off-hook and the go on to connect to another subscriber in order to maintain a sufficient calling rate". The "maximum amount of time the local exchange central control system should wait for a subscriber to go off-hook" of Leichner reads on the claimed "update the first call request". Regarding section (f), it is inherent that first call request must be sent to a remote gate program (call processing on the remote node) for entering the call request in a remote temporary file.

Regarding claims 28 and 30, Leichner teaches on column 8 line 15 "the maximum amount of time the local exchange central control system should wait for a subscriber to go off-hook and then go on to connect to another subscriber in order to maintain a sufficient short time that a meaningful alert or warning is given". The "maximum amount of time" of Leichner is the claimed "pre-determined period of time". The "wait for a subscriber to go off-hook and then go on to connect" of Leichner reads on the claimed "the call requests has not been processed".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 2-4, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langsenkamp as applied to claim 1 above, and in view of Uppaluru et al (US-PAT-NO: 6,445,784).

Regarding claims 2 and 12, Langsenkamp failed to teach the network interface further provides the ability to receive additional call requests from the remote node, the remote node containing a second database comprising a plurality of phone numbers and each additional call request received from the remote node containing a phone number selected from the second database. However, Uppaluru et al teach on item 114 Fig. 3 "long distance network", item 102 Fig. 3 "PBX", and item 144 Fig. 3 "switch". It is inherent that there must be a network interface for either the switch or PBX to connect to the long distance network. It is also inherent that system must have the ability to receive additional (multiple) call requests. Uppaluru et al also teach on item 152 Fig. 3 "point of presence (POP) call center". The "POP call center" of Uppaluru is the claimed "remote node". Uppaluru et al further teach on column 3 line 17 the local central office or tandem switch uses the SMS/800 database system to translate the signal inbound toll-free

number for the business call center into a matching local phone number. The "SMS/800 database" of Uppaluru is the claimed "second database". Uppaluru et al also teach on column 2 line 59 "the POP call center gateway is further capable of requesting connected premises call center gateway to originate proxy calls on its behalf". The "requesting .... To originate proxy calls" of Uppaluru reads on the claimed "call request". It would have been obvious to one skilled at the time the invention was made to modify Langsenkamp to have the network interface further provides the ability to receive additional call requests from the remote node, the remote node containing a second database comprising a plurality of phone numbers and each additional call request received from the remote node containing a phone number selected from the second database as taught by Uppaluru et al such that the modified system of Langsenkamp would be able to support the additional call request and second database to the system users.

Regarding claims 3 and 13, The modified system of Langsenkamp in view of Uppaluru et al as stated in claim 2 above failed to teach the temporary file is further operable to store the additional call requests from the remote node, and the at least one telecommunications interface is further operable to initiate phone calls to callees using the additional call requests from the remote node. However, Uppaluru et al teach on column 2 line 61 "monitoring call progress and routing the locally queued calls to the premises call center". The "queued" of Uppaluru et al reads on the claimed "temporary file". It is inherent that the "queue" (the claimed temporary file) must be operable to store additional call requests. It would have been obvious to one skilled at the time the invention was made to modify Langsenkamp to have the temporary file is further operable to store the additional call requests from the remote node, and the at least one

telecommunications interface is further operable to initiate phone calls to callees using the additional call requests from the remote node as taught by Uppaluru et al such that the modified system of Langsenkamp and Uppaluru et al would be able to support the temporary file to the system users.

Regarding claim 4, Uppaluru et al teach on column 2 line 61 "monitoring call progress and routing the locally queued calls to the premises call center". The "queued" of Uppaluru et al reads on the claimed "queue".

9. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langsenkamp as applied to claim 1 above, and in view of Butts et al (US-PAT-NO: 5,978,460). Langsenkamp failed to teach the message to be transmitted over the at least one phone line is a fax message. However, Butts et al teach on column 1 line 30 send fax messages or other data over the phone line. It would have been obvious to one skilled at the time the invention was made to modify Langsenkamp to have the message to be transmitted over the at least one phone line is a fax message as taught by Butts et al such that the modified system of Langsenkamp would be able to support the fax message to the system users.

10. Claims 20, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leichner, and in view of Joyce et al (US-PAT-NO: 5,546,455).
Regarding claims 20 and 23, Leichner failed to teach the local gate program sends the statement to remove the first call request from the local temporary file to a second temporary file, and the

local server program removes the statement from the second temporary file and executes the statement against the local temporary file. However, Joyce et al teach on column 4 line 55 "the SQL builder passes messages and SQL queries via the serializing processes and interfaces to the host server. The "SQL queries" of Joyce et al is the claimed "statement". The "passes ... SQL queries ... to the host server" of Joyce et al reads on the claimed "sends the statement ... from the local temporary file to a second temporary file". Joyce et al also teach on column 4 line 62 "remove request". The "remove request" of Joyce et al is the claimed "removes the statement from the second temporary file". It would have been obvious to one skilled at the time the invention was made to modify Leichner to have the local gate program sends the statement to remove the first call request from the local temporary file to a second temporary file, and the local server program removes the statement from the second temporary file and executes the statement against the local temporary file as taught by Joyce et al such that the modified system of Leichner would be able to support the local gate program sends the statement to remove the first call request from the local temporary file to a second temporary file, and the local server program removes the statement from the second temporary file and executes the statement against the local temporary file to the system users.

Regarding claim 24, the modified system of Leichner in view of Joyce et al as stated in claim 23 above failed to teach the remote gate program also generates a statement for delivery to the local node to update the first call request in the first temporary file or remove the first call request in the first temporary file. However, Joyce et al teaches on column 4 line 55 "the SQL builder passes messages and SQL queries via the serializing processes and interfaces to the host server.

The "SQL queries" of Joyce et al is the claimed "statement". The "passes ... SQL queries ... to the host server" of Joyce et al reads on the claimed "generates a statement ... for delivery to the local node". Joyce et al also teach on column 4 line 62 "remove request". The "remove request" of Joyce et al is the claimed "remove the first call request". It would have been obvious to one skilled at the time the invention was made to modify Leichner to have the remote gate program also generates a statement for delivery to the local node to update the first call request in the first temporary file or remove the first call request in the first temporary file as taught by Joyce et al such that the modified system of Leichner would be able to support the remote gate program also generates a statement for delivery to the local node to update the first call request in the first temporary file or remove the first call request in the first temporary file to the system users.

11. Claim 25, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leichner, and in view of Erickson et al (US-PAT-NO: 6,067,457).

Regarding claim 25, Leichner failed to teach the at least one datafield includes a priority datafield containing information about the order in which the first call request should be processed in relation to a plurality of other call requests. However, Erickson et al teach on item 102 Fig. 3 "priority assgt sub-field". The Fig. 3 shows one datafield includes a priority information. It would have been obvious to one skilled at the time the invention was made to modify Leichner to have the at least one datafield includes a priority datafield containing information about the order in which the first call request should be processed in relation to a plurality of other call requests as taught by Erickson et al such that the modified system of Leichner would be able to support the at least one datafield includes a priority datafield

containing information about the order in which the first call request should be processed in relation to a plurality of other call requests to the system users.

Regarding claim 26, the modified system of Leichner in view of Erickson et al as stated in claim 25 above failed to teach the information in the priority datafield for the first call request is changed after it is sent to the remote node to reflect the priority of the first call request in the remote node. However, Erickson et al teach on column 4 line 34 provide a means for reassigning the priority level of queued service requests within a particular cell as a call's status changed. The "reassigning the priority" of Erickson et al is the claimed "priority datafield ... is changed". The "status changed" of Erickson et al reads on the claimed "after it is sent to the remote node". It would have been obvious to one skilled at the time the invention was made to modify Leichner and Erickson et al to have the information in the priority datafield for the first call request is changed after it is sent to the remote node to reflect the priority of the first call request in the remote node as taught by Erickson et al such that the modified system of Leichner and Erickson would be able to support the priority change to the system users.

Conclusion

12. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Andruska et al (US-PAT-NO: 6,408,066) teach ACD skill-based routing.

13. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general mature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service FAX Number 703-872-9314.

Patent Examiner

Art Unit 2645

Ming Chow

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600